

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Brandon Shayne Melvin**

**Docket No. 5:07-CR-157-1BO**

**Petition for Action on Supervised Release**

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brandon Melvin, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Distribute and Possess With the Intent to Distribute 50 Grams or More of Cocaine Base (Crack), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 1, 2008, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On November 9, 2012, pursuant to 18 U.S.C. §3582(c)(2), the previously imposed sentence of 108 months imprisonment was reduced to 96 months.

Brandon Shayne Melvin was released from custody on September 12, 2014, at which time the term of supervised release commenced.

On September 15, 2014, the conditions of release were modified to include the drug aftercare condition along with a condition requiring the defendant to obtain a sex offender evaluation and to participate in any recommended treatment.

On October 1, 2014, the conditions of supervised release were modified to include polygraph testing as a component of his sex offender treatment.

On July 21, 2015, the conditions of supervised release were modified to include a search condition in an effort to monitor compliance with any computer use while the defendant attended school.

On September 18, 2015, the court was notified that the defendant had failed to attend sex offender specific treatment on several occasions and had received a new charge of Driving While License Revoked. The defendant was verbally reprimanded for this noncompliance.

On March 7, 2017, the court was notified that the defendant tested positive for Marijuana on February 22, 2017. The defendant was verbally reprimanded for his drug use and was placed back in the Surprise Urinalysis Program to monitor for any further drug use.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant has submitted several positive urinalysis tests for Marijuana. After lab analysis, it was determined that the defendant reused Marijuana on April 4, 2017. The defendant has been referred for substance abuse counseling. Additionally, it is recommended that the defendant complete 60 days of home detention as a sanction for his continued use.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to his/her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld  
Mindy L. Threlkeld  
Senior U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2539  
Executed On: May 01, 2017

**ORDER OF THE COURT**

Considered and ordered this 1 day of May, 2017, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge